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3 UNITED STATES DISTRICT COURT  
4 DISTRICT OF NEVADA

5 JIMMY MICHAEL WHITE,

Case No. 3:21-cv-00010-RCJ-WGC

6 Petitioner,

7 v.

**ORDER**

8 WARDEN TIM GARRETT, *et al.*,

9 Respondents.

10 Petitioner Jimmy Michael White, a Nevada state prisoner proceeding *pro se*, has filed a  
11 petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Currently before the Court is  
12 White's Application to Proceed *In Forma Pauperis* (ECF No. 1).

13 A \$5.00 filing fee is required to initiate a habeas action in a federal district court. 28 U.S.C.  
14 § 1914(a); Judicial Conference Schedule of Fees. The court may authorize a person to begin an  
15 action without prepaying fees and costs if the person demonstrates indigency. 28 U.S.C. § 1915;  
16 LSR 1-1, 1-2. The IFP application must be submitted on the form provided by the court and  
17 include specific financial information and a declaration confirming under the penalty of perjury  
18 that the financial information is true. *Id.*

19 Although White submitted the required form, the supporting documents show he is able to  
20 pay the \$5 filing fee. Thus, White does not qualify for a fee waiver. The Court therefore denies  
21 the IFP application and gives him 45 days from the date of this order to pay the \$5 fee.

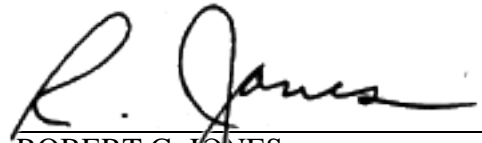
22 **IT IS THEREFORE ORDERED:**

- 23 1. Petitioner Jimmy Michael White's Application to Proceed *In Forma Pauperis* (ECF  
24 No. 1) is DENIED.
- 25 2. White must pay the \$5.00 filing fee within 45 days of the date of this order.
- 26 3. The Clerk of Court is instructed to send White *two* copies of this order. White must  
27 make the necessary arrangements to have a copy of this order attached to the check for  
28 the filing fee.

1 4. If White fails to comply with this order, this case will be dismissed without prejudice  
2 and without further advance notice.

3 5. The initial screening of White's petition under the Rules Governing Section 2254 Cases  
4 in the United States District Courts is deferred to until such time as he has fully  
5 complied with this order.

6 DATED this 29th day of April, 2021.

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9 ROBERT C. JONES  
10 UNITED STATES DISTRICT JUDGE  
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